

# **PUBLIC NOTICE**

US Army Corps of Engineers New York District Jacob K. Javits Federal Building New York, N.Y. 10278-0090 ATTN: Regulatory Branch

#### In replying refer to:

Public Notice Number:2003-00238-YS
Issue Date: February 2, 2005
Expiration Date: March 4, 2005

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: Putnam County Division of Planning and Development

841 Fair Street Carmel, NY 10512

ACTIVITY: Discharge of fill material into approximately 0.4021 acres of waters of the United

States in association with the construction of a recreational trail to be known as

Putnam Bikeway II, Stages 2 and 3

WATERWAY: Michael Brook and Middle Branch Croton River (Hudson River Basin)

LOCATION: Towns of Carmel and Southeast, Putnam County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historical properties, fish and wildlife values, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership and, in general the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

## CENAN-OP-RW PUBLIC NOTICE NO. 2003-00238-YS

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

Based upon a review of the latest published version of the National Register of Historic Places, there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit.

Reviews of activities pursuant to Section 404 of the Clean Water Act will include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act and the applicant will obtain a water quality certificate or waiver from the appropriate state agency in accordance with Section 401 of the Clean Water Act prior to a permit decision.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (212) 264-0183 and ask for Brian A. Orzel.

For more information on New York District Corps of Engineers programs, visit our website at http://www.nan.usace.army.mil

Richard L. Tomer

Chief, Regulatory Branch

Enclosures

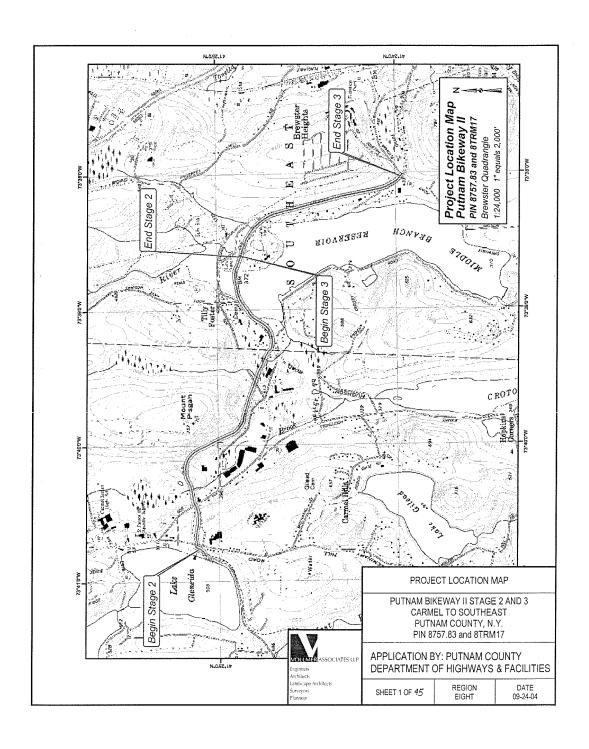
### CENAN-OP-RW PUBLIC NOTICE NO. 2003-00238-YS

### WORK DESCRIPTION

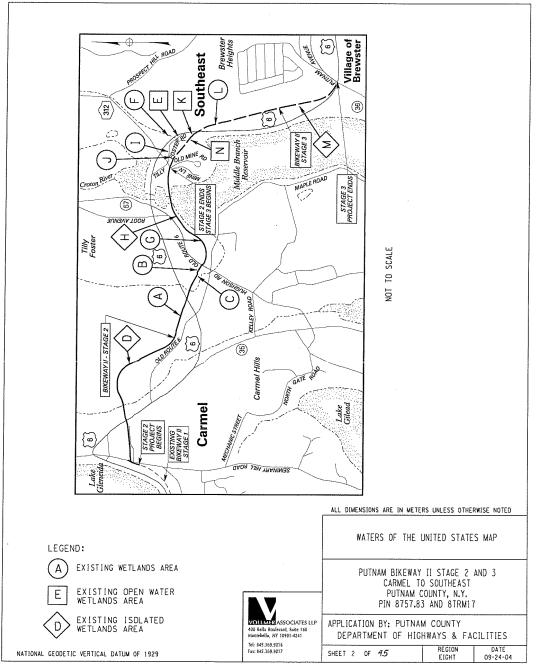
The applicant, the Putnam County Division of Planning and Development, has requested Department of the Army authorization for the discharge of fill material into waters of the United States in association with the construction of a recreational trail to be known as Putnam Bikeway II, Stages 2 and 3. The trail would extend from Seminary Hill Road in the Town of Carmel, Putnam County, New York to Putnam Avenue in the Town of Southeast, Putnam County, New York.

The project would be located mostly within the alignment of the abandoned New York Central railroad bed, resulting in the placement of fill material into a total of approximately 0.4021 acres of waters of the United States. The applicant proposes a wetland mitigation plan which includes the creation of approximately 0.4939 acres of wetlands.

The stated purpose of the work is to develop a bicycle path that will provide an alternative to motorized transportation in the area.



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- Wetlands Area<sup>2</sup> 1 - EXISTING OPEN WATER WETLANDS AREA
- 2 EXISTING ISOLATED WETLANDS AREA

MBR - MIDDLE BRANCH RESERVOIR

PEM - PALUSTRINE EMERGENT WETLAND

PFO - PALUSTRINE FORESTED WETLAND

POW - PALUSTRINE OPEN WATER WETLAND

PSS - PALUSTRINE SCRUB/SCRUB WETLAND

NOTE: AREAS "E", "F" & "]" ARE OUTSIDE THE PROJECT MAPPING LIMITS.

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED

WETLANDS TABLE

PUTNAM BIKEWAY II STAGE 2 AND 3 CARMEL TO SOUTHEAST PUTNAM COUNTY, N.Y. PIN 8757.83

REGION

APPLICATION BY: PUTNAM COUNTY DEPARTMENT OF HIGHWAYS & FACILITIES

SHEET 3 OF 45

DATE 09-24-04

DATE/TIME = DGN\$SYTIME0123456 USER = DGN\$USERNAME

VOLUMER ASSOCIATES LLP 400 Rella Boulevard, Suite 150 Montebello, NY 10901-4241 Tel: 845.369.9016 Fax: 845.369.9017

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		SUMMARY OF WE	TLAND MITIGATIO	ON CHARACTERIST	ICS	
Wetland Witigation Area	Sheet Numbers	Existing Land Use	Proposed Wetland Type and Size	Buffer Area of Proposed Wetlands	Hydrology of Proposed Wetlands	Replaced Wetland Function
A	7	Upland Forested Adjacent to Palustrine Forested Wetlands	PF0 1,020.23 SQM 0.2521 ACRE	Railroad Embankment	Overland flow, Precipitation	Nutrient/sediment retension, wildlife habitat
В	8, 9 & 10	Upland Forested Adjacent to Palustrine Forested Wetlands	PF0 811.77 SQM 0.2006 ACRE	Railroad Embankment	Overland flow. Precipitation	Nutrient/sediment retension, wildlife habitat
С	8, 9 & 10	Upland Scrub-Shrub, Forested Adjacent to Palustrine Forested Wetlands	PSS/PF0 166.70 SQM 0.0412 ACRE	Railroad Embankment	Overland flow. Precipitation	Nutrient/sediment retension, wildlife habitat
PROJECT TOTAL			1998.70 SQM 0.4939 ACRE			1

NOTE: EXISTING SOIL SIMILAR TO ADJOINING WETLANDS

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WETLANDS MITIGATION CHARACTERISTICS

PUTNAM BIKEWAY II STAGE 2 CARMEL TO SOUTHEAST PUTNAM COUNTY, N.Y. PIN 8757.83



APPLICATION BY: PUTNAM COUNTY
DEPARTMENT OF HIGHWAYS & FACILITIES

 SHEET 4 OF 4.5
 REGION EIGHT 09-24-04

#### WETLAND MITIGATION NOTES:

- THE WORK IN FEDERAL JUSRISDICTIONAL WETLANDS SHOWN ON THESE PLANS IS AUTHORIZED BY A LWITED STATES ARMY CORPS OF ENGINEERS SECTION 404/10 PERMIT. ANY WORK IN WETLAND AREAS NOT SHOWN ON THE PLANS SHALL NOT BE DONE WITHOUT FIRST CONTACTING THE REGIONAL ENVIRONMENTAL CONTACT AND NYS DEPARTMENT OF ENVIRONMENTAL
- 2. PRIOR TO THE START OF CLEARING AND GRUBBING AND/OR ANY CONSTRUCTION ADJACENT TO THE WETLANDS, THE ENGINEER IN CHARGE SHALL WEREY THE LOCATIONISI OF THE AREASS TO BE PRESERVED, AND THE TREES TO BE SAVED, NO DISTURBANCE SHALL BE ALLOWED WITHIN THE BOUNDARIES OF THE WETLAND AREAS TO BE PRESERVED AS SHOWN ON THE PLANS AND AS DELINEATED WITH TREE VICECTATION PROTECTION BARRIER AND/OR SILT FENCE. EROSION CONTROL MEASURES AS INDICATED ON PLANS SHALL BE PLACED AS CLOSE AS POSSIBLE TO THE EXDESTING WITH GRADING OPERATIONS.
- IN ORDER TO PROMOTE THE EARLY DEVELOPMENT OF PLANT MATERIAL WITHIN THE WETLANDS TO BE CONSTRUCTED, THE CONTRACTOR SHALL EXCAVATE AND CONSTRUCT THE WETLAND AS EARLY IN THE CONSTRUCTION SEQUENCE AS POSSIBLE, HOWEVER, WETLAND EXCAVATION CONSTRUCTION SHALL ADHERE TO THE REQUIREMENTS AS STATED IN THE EARTHWORK STAGING PLANS.
- 4. PRIOR TO FINISH GRADING OF THE WEILAND MITIGATION AREAS, THE ENGINEER IN CHARGE SHALL BE NOTIFIED TO VERIFY THE FINAL SHAPE OF THE WEILAND AREA AND THAT THE PROPER WATER DEPTH WILL BE OBTAINED AT THE BOTTOM ELEVATIONS SPECIFIED. FURTHER EXCAVATION AND/OR FILLING MAY BE ORDERED AND IS TO BE CARRIED OUT UNDER ITEMS 203.02 M AND 203.03 M AND 203.03 M
- 5. ESTABLISHING TURF (ITEM 610.0203 M) SHALL IMMEDIATELY FOLLOW FINISH GRADING. NEW LANDSCAPING SHALL BE PLANTED FOLLOWING FINISH GRADING AND AS SEASONAL REQUIREMENTS PERMIT.
- 6. WHEN EXCAVATING FOR THE BIKEWAY THROUGH AN EXISTING WETLAND AREA EXCAVATED WETLAND TOPSOIL SHALL BE STOCKPILED AND USED IN THE WETLAND MITIGATION PRIOR TO THE USE OF ANY OTHER TOPSOIL.
- 7. TOPSOIL PLACED IN THE WETLAND MITIGATION AREAS SHALL BE AMENDED WITH AN ORGANIC MATERIAL TO OBTAIN AN 8X 10X ORGANIC MATERIAL CONTENT. ONLY AFTER TOPSOIL STOCKPILE HAS BEEN AMENDED AND APPROVED CAN IT BE PLACED IN THE MITIGATION AREAS
- WETLAND CONSTRUCTION CAN BE MODIFIED TO COINCIDE WITH NATURAL CONTOURING AND MATERIAL OF THE AFFECTED AREA. A MINIMUM OF TWO FEET MUST BE MAINTAINED ABOVE ANY UNDERLYING BEDROCK. THE DESIGNED WETLAMD SIZE SHALL BE MAINTAINED AT A MINIMUM. THE INTENT IS TO SAVE SELECTED EXISTING VEGETATION AND TO CREATE A MAIURALISTIC EDGE. ANY MODIFICATIONS MUST REMAIN WITHIN THE COUNTY AND STATE RICHT-OF-WAY AND SHALL BE APPROVED BY THE ENGINEER IN CHARGE.
- WETLAND AREAS TEMPORARILY DISTURBED BY CONSTRUCTION ACTIVITIES SHALL BE LIMITED TO THE AREAS SHOWN ON THE PLANS. THESE AREAS SHOULD BE EN-GRADED TO THE PRE-CONSTRUCTION CONTOURS INCLIDING THE PLACEMENT OF 75mm WETLAND TOP SOIL (ITEM 08613.03 M) AND SEEDED (ITEM 11610.020301 M) AS SOON AS WORK IN THESE AREAS IS FINISHED.
- 10. INDIVIOUAL PLANTING AREAS SHALL BE STAKED OUT IN THE WETLAND MITIGATION AREAS BY THE CONTRACTOR AND APPROVED BY THE ENGINEER IN CHARGE PRIOR TO PLANTING.
- 11. SOLI TYPES UDORTHENTS, WET SUBSTRATUM, SILTY CLAY LOAM EXIST WITHIN THE PROPOSED WETLAND MITIGATION EXCAVATION AREAS, SIMILAR SOIL TYPES EXIST WITHIN THE ABUTTING WELLANDS. AND THEY SHOULD BE CAPABLE OF SUPPORTING THE NEW WELLAND HYDROLOGY, EXISTING WETLAND SOIL FROM DISTURBED AREAS SHALL BE REUSED WITHIN THE PROPOSED WETLAND MITIGATION AREAS TO 75mm. THE EXISTING ROPHT, THE SOIL SHOULD BE SPREAD AT A THICKNESS OF 75mm. THE EXISTING WETLAND AREAS HAVE AN OVERLAND FLOW / PRECIPITATION SOURCE OF THE EXISTING ADJOINING WETLAND AREAS ARE A MINIMAL PERCENTACE OF THE EXISTING ADJOINING WETLAND AREAS, THEREFORE THE EXISTING HYDROLOGY, THE ADDITION AREAS, THEREFORE THE EXISTING HYDROLOGY WILL BE ADEQUATE AND RELIABLE.

ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE NOTED

WETLAND MITIGATION NOTES

PUTNAM BIKEWAY II STAGE 2 CARMEL TO SOUTHEAST PUTNAM COUNTY, N.Y. PIN 8757.83

APPLICATION BY: PUTNAM COUNTY DEPARTMENT OF HIGHWAYS & FACILITIES

SHEET 5 OF 45

REGION

09-24-04

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REVISED ON 12-10-04 VOLLMEN ASSOCIATES LLP 400 Relfa Boulevard, Suite 160 Montebello, NY 10901-4241 Tel: 845,369,9016 Fax: 845,369,9017

	WE	TLAND MITI	GATION AREA	"A" ·	- 1020,23 SM	
			PLANT I	IST		
SYM.	QTY.	BOTANIO	CAL/COMMON NA	ME	SIZE	ITEM
		TRE	ES		***	
AR	15	ACER RUBRUM / RED MAPLE			40 mm CAL.	611.010133
FP	10	FRAXINUS PENNSYLVANICA / GREEN ASH			40 mm CAL.	611.010133
UA	6	ULMUS AMERICANA / AMRRICAN ELM			40 mm CAL.	611.010133
		SHR	UBS			
AS	5	ALNUS SERRULATA / SMOOTH ALDER			0.6 m HT.	611.010143
CA	5	CORNUS AMOMUM / SILKY DOGWOOD			0.6 m HT.	611.010143
CS	5	CORNUS STOLONIFERA / REDOSIER DOGWOOD 0.6 m HT.		611.010143		
VD	5	VIBURNUM DENTATUM / ARROW WOOD 0.6 m HT.			611.010143	
EST.	ABLISH	HING TURF I	N WETLAND A	REAS	- WETLAND S	EED MIX
ST	ATION	TO STATION	SIDE		QTY.	ITEM
	11+220	TO 11+270	LT		1122 m <sup>2</sup>	11610.020301

WETLAND MITIGATION AREA "B" - 811.77 m <sup>2</sup>						
	PLANT LIST					
SYM.	QTY.	BOTANICAL	SIZE	ITEM		
		TREES				
AR	5	ACER RUBRUM / RED MAR	40 mm CAL.	611.010133		
PB	5	POPLUS BALSAMIFERA /	40 mm CAL.	611.010133		
LL	5	LARIX LARICINA / TAMAF	40 mm CAL.	611.010133		
		SHRUBS				
CA	9	CORNUS AMOMUM / SILKY	0.6 m HT.	611.010143		
EA	8	HEX VERTICILLATA / WI	0.6 m HT.	611,010143		
CL	5	CLETHRA ALNIFOLIA / SI	0.6 m HT.	611.010143		
VD	8	VIBURUM DENTATUM / AR	0.6 m HT.	611.010143		
ESTABLISHING TURF IN WETLAND AREAS - WETLAND SEED MIX						
	STATION	TO STATION	SIDE	QTY.	ITEM	
11+660 TO 11+830 LT 892 m <sup>2</sup>				892 m <sup>2</sup>	11610.020301	

SEED MIX 20301 M
% BY WEIGHT
2 %
5 %
7 %
1 %
1 %
1 %
7 %
1 %
15 %
4 %
1 %
6 %
9 %
1 %
5 %
11 %
5 %
5 %
7 %
2 %
5 %

RECOMMENDED SEEDING RATE: 15 LBS/ACRE ESTIMATE PROJECT TOTAL = 7.4 LBS

NOTE: INDIVIDUAL PLANTING AREAS SHALL BE STAKED OUT IN THE WETLAND MITIGATION AREAS PRIOR TO PLANTING.

SEE SHT. 5 FOR WETLAND MITIGATION NOTES.

		WETLAND MITI	GATION AREA	"C" -	- 166.70 SM	
			PLANT	LIST		
SYM. QTY.		BOTANICAL/COMMON NAME			SIZE	ITEM
		SHRUBS				
CA	2	CORNUS AMOMUM / SILKY DOGWOOD			0.6 m HT.	611.010143
CL	2	CLETHRA ALNIFOLIA / SWEET PEPPERBUSH			0.6 m HT.	611.010143
VD	2	VIBURNUM DENTATUM / ARROW WOOD			0.6 m HT.	611.010143
E:	STABL	ISHING TURF IN V	VETLAND ARE	AS -	WETLAND SEED	MIX
	STATIO	N TO STATION	SIDE		QTY.	ITEM
	11+66	0 TO 11+810	RT		184 SM	11610.020301

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WETLAND TABLES

PUTNAM BIKEWAY II STAGE 2 CARMEL TO SOUTHEAST PUTNAM COUNTY, N.Y. PIN 8757.83

VOLUMES ASSOCIATES LLP 400 Rella Boulevard, Suite 160 Montebello, NY 10901-4241 Tel: 845.369.9016 Fax: 845.369.9017

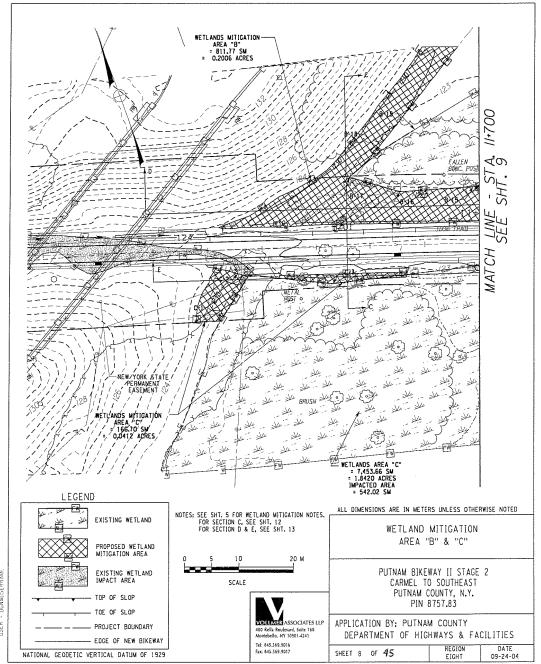
REVISED ON 12-10-04

APPLICATION BY: PUTNAM COUNTY
DEPARTMENT OF HIGHWAYS & FACILITIES REGION EIGHT

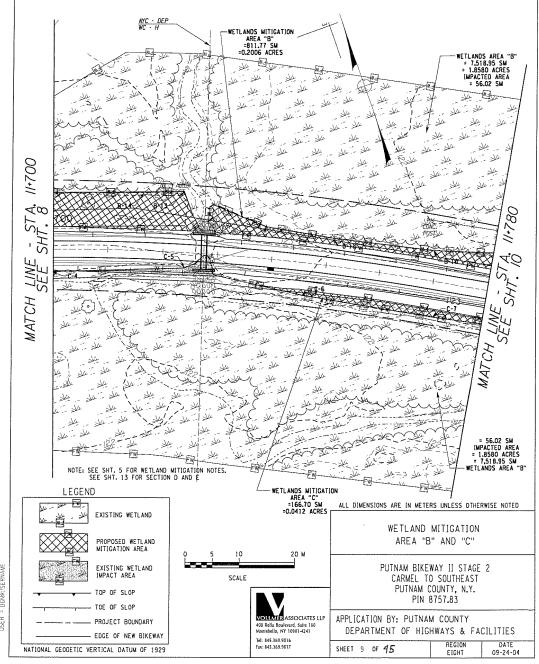
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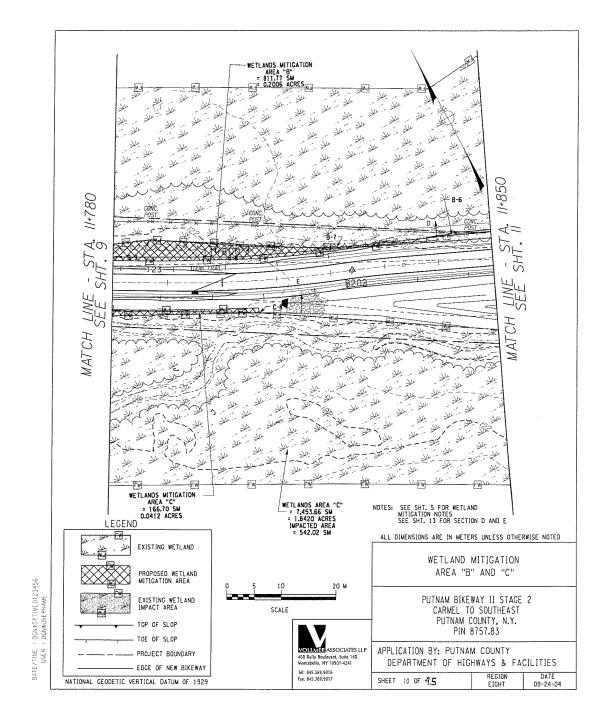
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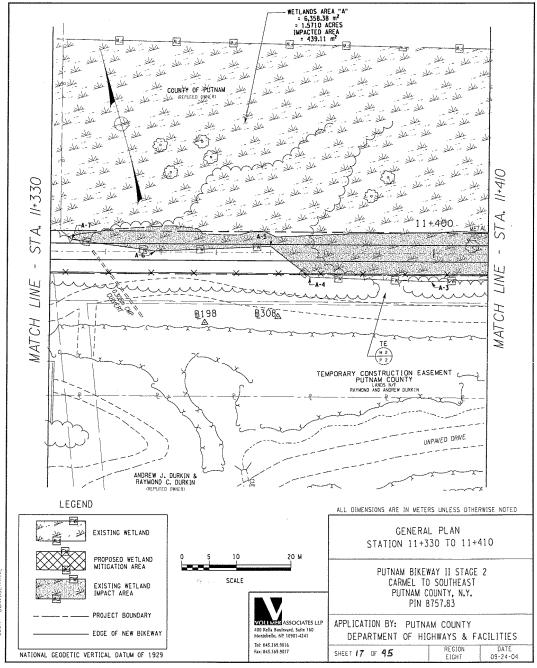


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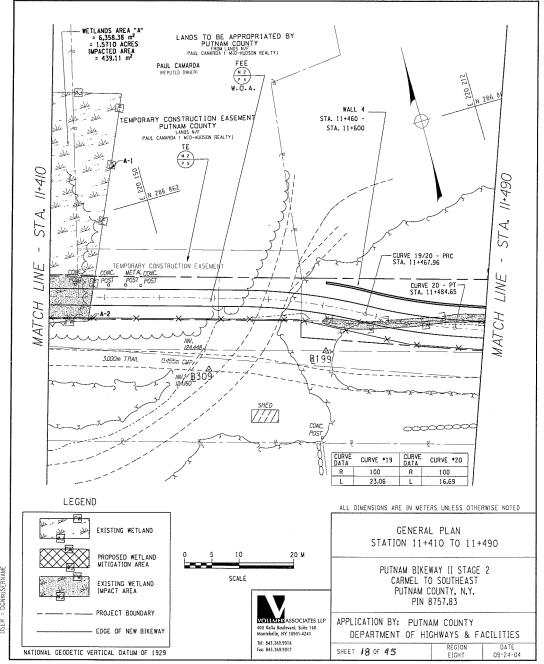
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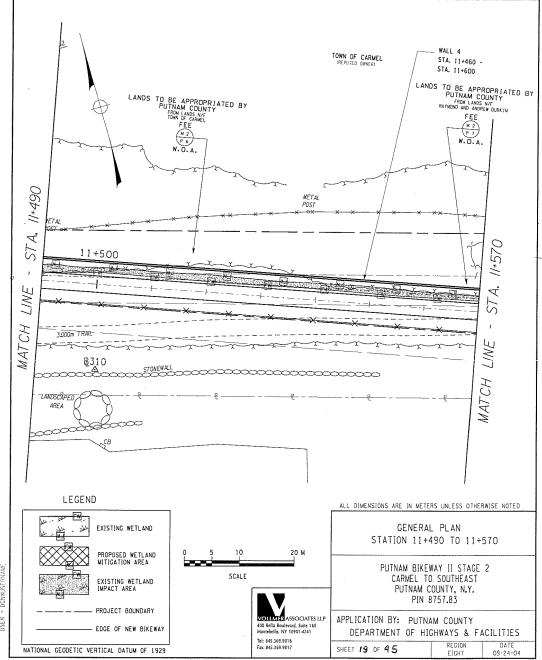
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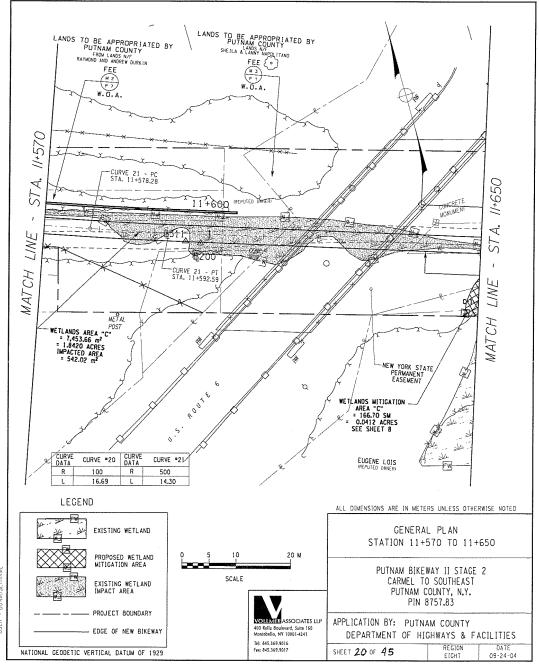
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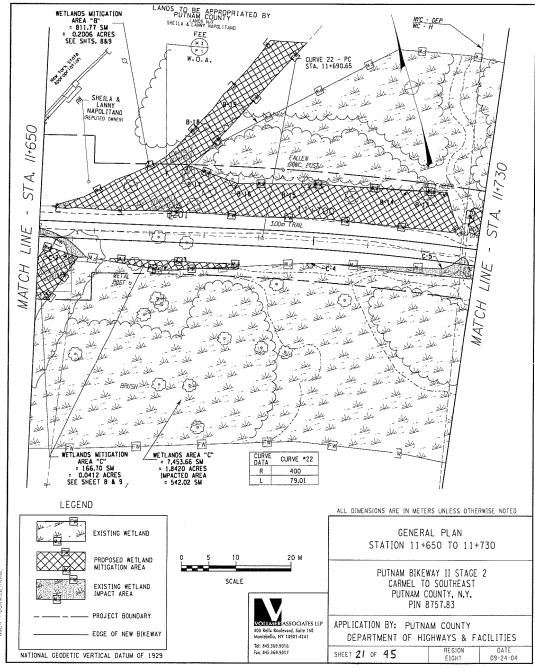
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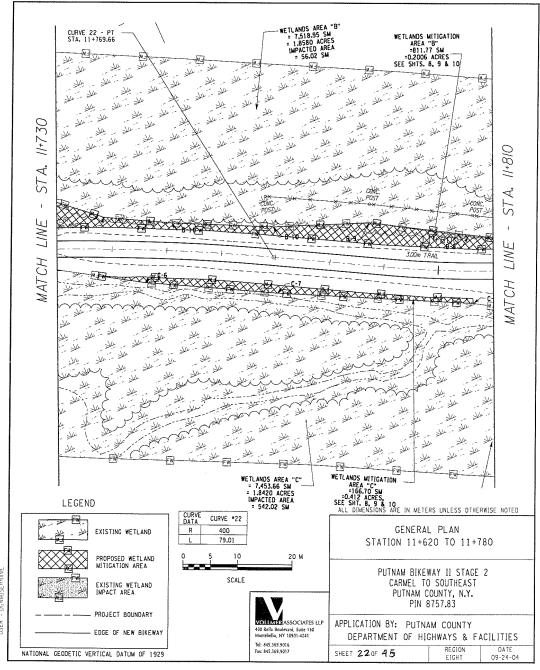
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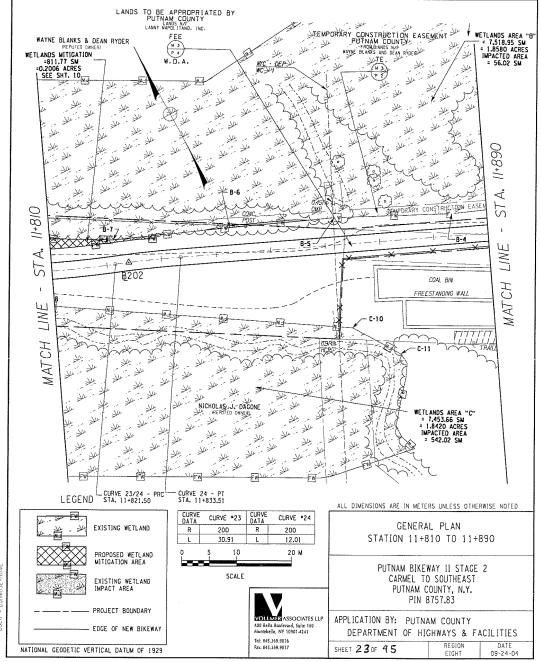
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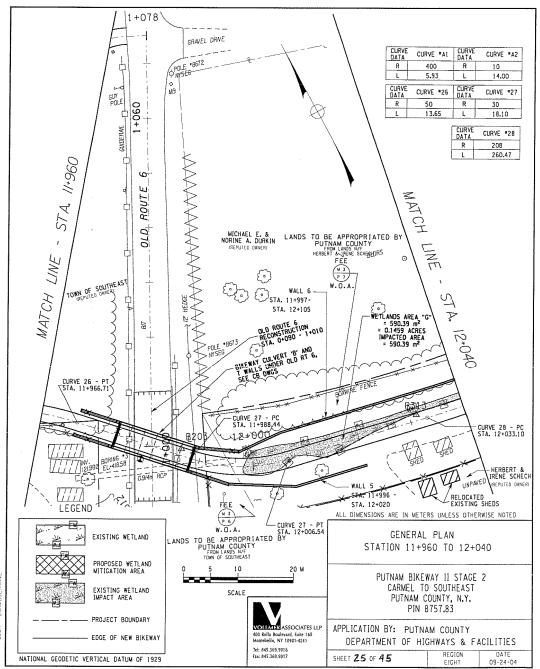


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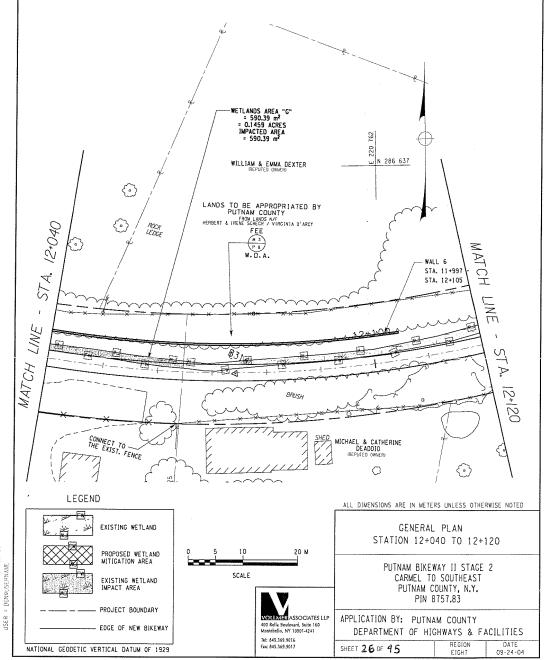


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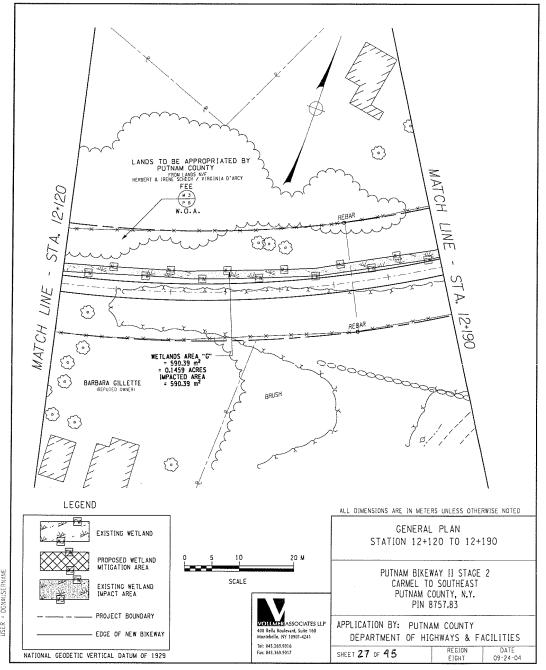
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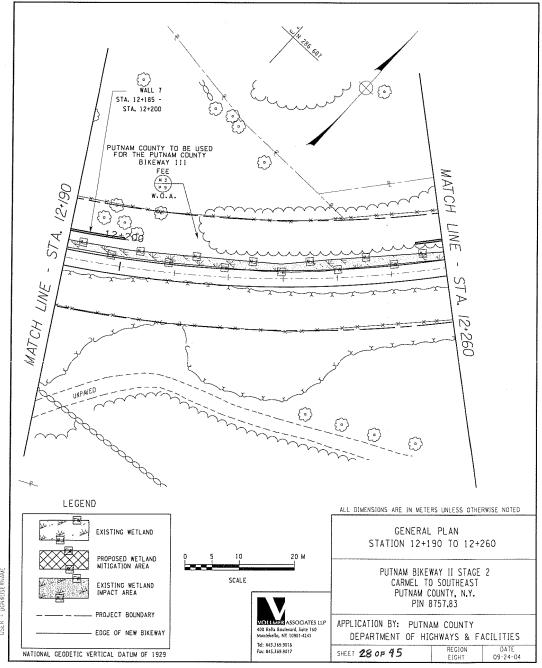
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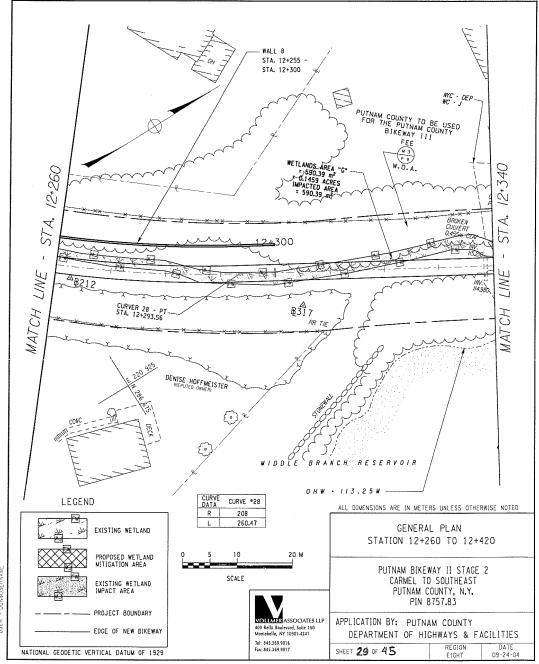
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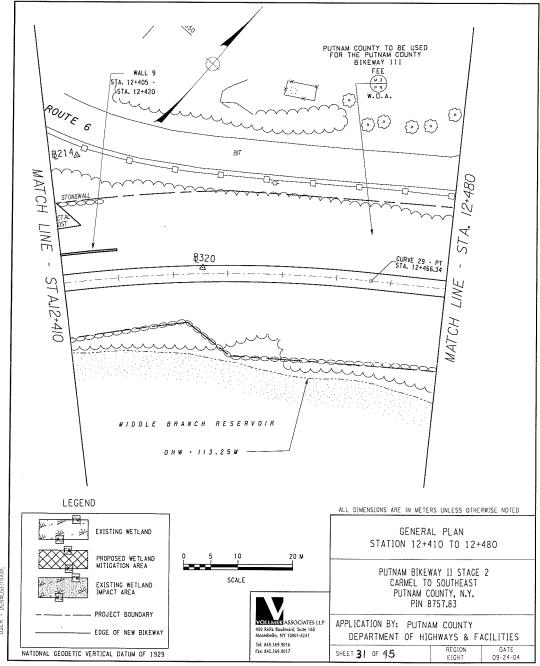
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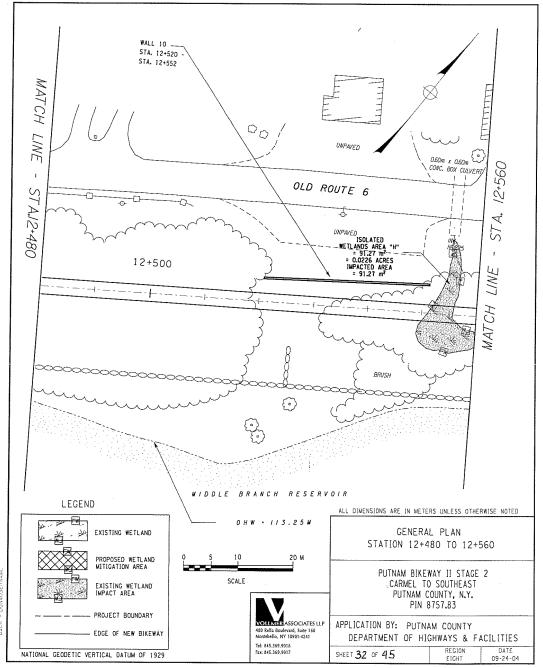
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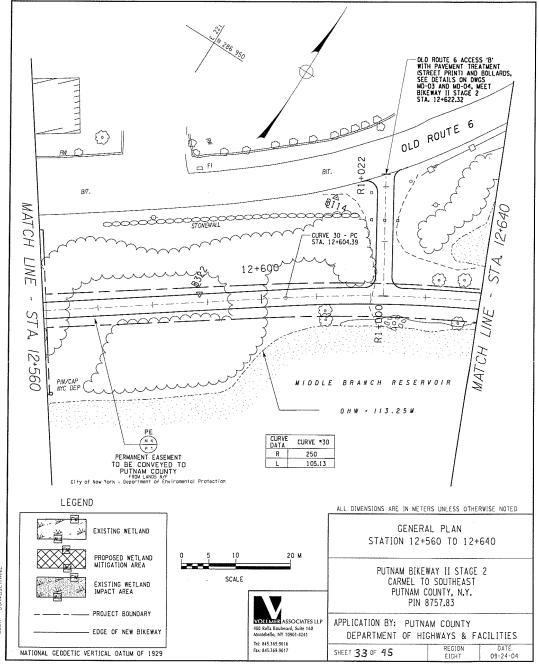
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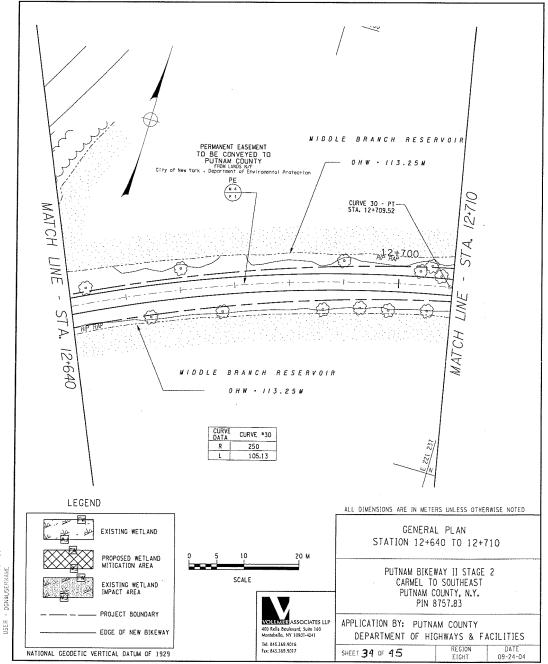
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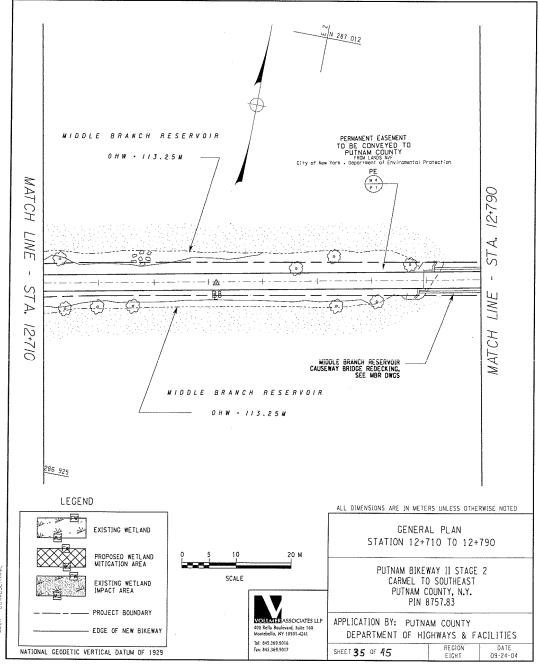
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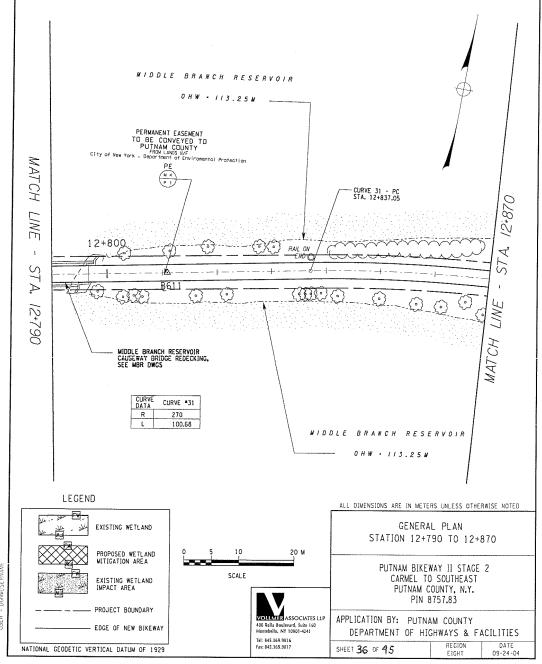
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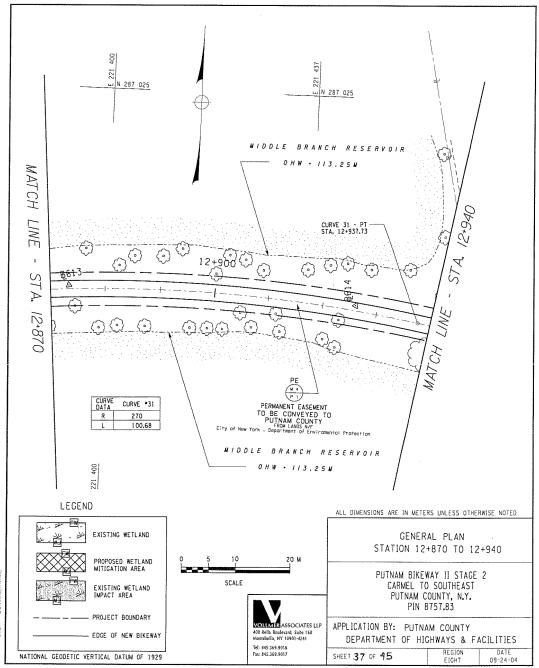
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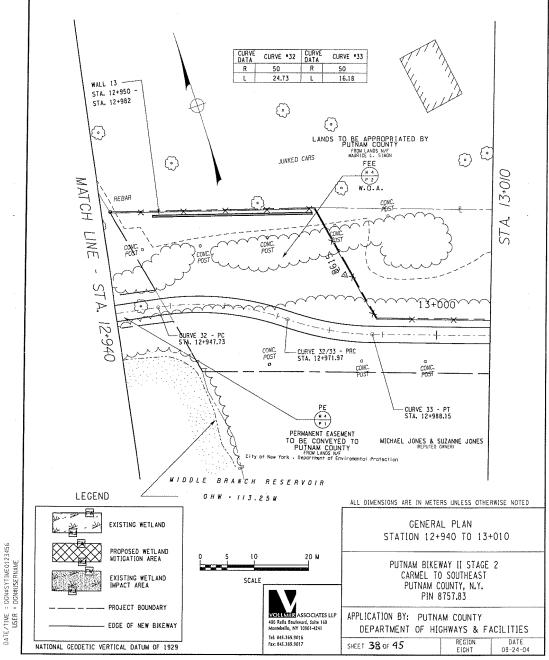
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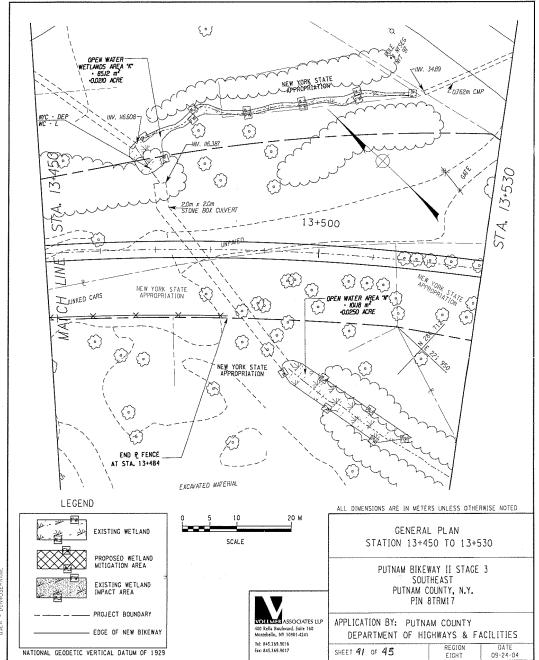


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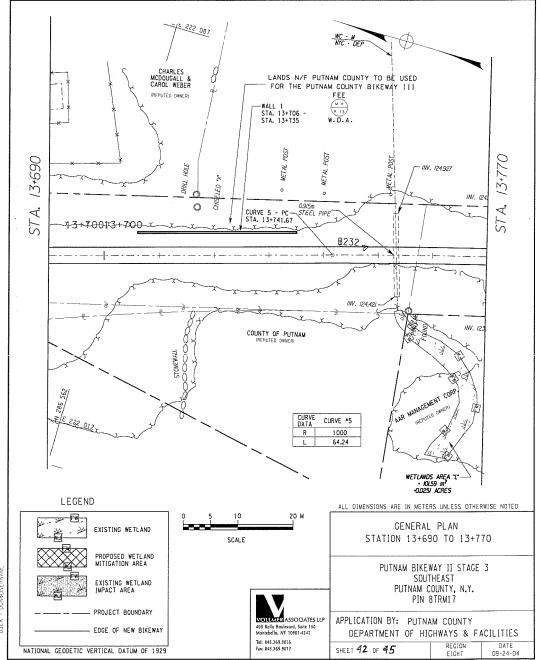


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